THE HON'BLE MR JUSTICE B. PRAKASH RAO
AND
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.268 of 2006

DATE: 19.06.2006

Between:

D. Krishna Mohan

... APPELLANT

AND

M/s. Hindustan Antibiotics Limited
& others.

... RESPONDENTS

ORDER: **(PER THE HONOURABLE BPR,J)**

Heard both sides and at their request the main appeal is taken up for disposal.

The only question involved in this appeal is as to the quantum of back wages that is required to be paid as under Section 48 (3) of A.P. Shops and Establishments Act.

It is stated that the second appeal was filed by the writ petitioners challenging the orders of the first appellate authority wherein the appellant herein was directed for reinstatement with full back wages and attendant benefits. By an order dated 21.06.2005, the 2nd appellate authority rejected the orders passed in IA.No.1 of 2005 in SA.No.2 of 2005. Aggrieved by the said order, the Management filed WP.No.15716 of 2005. The learned Single Judge by an order dated 26.01.2005 disposed of the writ petition directing the writ petitioners to deposit in all an amount of Rs.3,50,000/- after taking credit for the amount of Rs.2,54,240/- already deposited and the remaining amount of Rs.95,760/- was directed to be deposited to the credit of S.A.No.2 of 2005 and further directed to dispose of the second appeal, pending before the 2nd appellate authority.

Now once again after hearing both sides and also while taking into account the calculations made by the respondents, admittedly they have to pay a sum of Rs.4,22,000/- and out of which they have paid a sum of Rs.3,50,000/-.

In view of the same, without going into the merits of the case, we deem it appropriate that the ends of justice would be met more aptly if the main appeal shall be disposed of and direct the respondents to deposit the balance amount of Rs.72,000/- within a period of two weeks from the date of receipt of the order. The 2nd appellate authority is directed to dispose of the S.A.No.2 of 2005 within a period of four weeks. The amount so deposited by the respondents shall be taken into account.

With the direction indicated above, the writ appeal is disposed of. No costs.

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B. PRAKASH RAO, J

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RAMESH RANGANATHAN, J

Date: 19.06.2006
Note:- Issue CC in a week.
B/o.
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